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Commission on the Status of Women
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Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century": gender mainstreaming, situations and programmatic matters

Results of the fifty-eighth and fifty-ninth sessions of the Committee on the Elimination of Discrimination against Women

Note by the Secretariat

Summary

The present note reflects the results, including decisions taken, of the fifty-eighth and fifty-ninth sessions of the Committee on the Elimination of Discrimination against Women, held in Geneva from 30 June to 18 July 2014 and from 20 October to 7 November 2014. Information on the fifty-seventh session, held in Geneva from 10 to 28 February 2014, can be found in the report of the Committee to the General Assembly (A/69/38, part III).

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I. Introduction

1. In its resolution 47/94, the General Assembly recommended that the sessions of the Committee on the Elimination of Discrimination against Women should be scheduled, whenever possible, to allow for the timely transmission of the results of those sessions for information to the Commission on the Status of Women.

2. The Committee held its fifty-eighth and fifty-ninth sessions from 30 June to 18 July 2014 and from 20 October to 7 November 2014, respectively. At its fifty-eighth session, the Committee adopted a statement on the situation of women in Gaza. It also decided to offer, on a pilot basis, the simplified reporting procedure to those States parties that wished to avail themselves of the procedure for the submission of their periodic (not initial) reports as from 1 January 2015, provided that they had submitted an updated common core document dating back no more than five years. At its fifty-ninth session, the Committee decided to entrust its pre-sessional working group with the preparation of draft lists of issues and questions before reporting under the simplified reporting procedure, to be approved, in the pilot phase, by the Committee at its next regular session, and to limit the number of questions in those lists to a maximum of 25 questions. The Committee also decided that, in the pilot phase, the simplified reporting procedure would be offered only to those States parties whose periodic reports were overdue. Also at its fifty-ninth session, it adopted joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices (CEDAW/C/GC/31-CRC/C/GC/18) and general recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women (CEDAW/C/GC/32). The Committee decided to establish, on a pilot basis, a working group on inquiries under the Optional Protocol to the Convention, consisting of five members of the Committee and reflecting equitable geographical representation, that would meet for six days per year within existing resources. Lastly, it decided to publish the full report of an inquiry upon the completion of all proceedings relating to the conduct of the inquiry and the expiry of the time limit pursuant to article 8 (4) of the Optional Protocol.

3. The Committee continued to engage with partners. Directly following the fifty-seventh session, the Chair of the Committee, Nicole Ameline, delivered a statement to the Commission on the Status of Women at its fifty-eighth session, in New York, and also held meetings with the Secretary-General and the Under-Secretary-General/Executive Director of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), Phumzile Mlambo-Ngcuka.

4. At its fifty-eighth session, the Committee received a briefing from the Assistant Secretary-General/Deputy Executive Director, Intergovernmental Support and Strategic Partnerships Bureau, of UN-Women, Lakshmi Puri, via videoconference, on the review of the progress made in the implementation of the Beijing Declaration and Platform for Action, 20 years after its adoption at the Fourth World Conference on Women, in 1995. It also heard a briefing from the Special Representative of the Secretary-General for Disaster Risk Reduction, Margareta Wahlström, on the nexus between gender, disaster reduction and climate change. The Committee also privately met the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, to exchange information on work in tackling violence against women and to discuss continuing

cooperation, in addition to the recommendation in the report of the Special Rapporteur to the Human Rights Council that the Council undertake an inquiry into the normative gap in relation to violence against women (A/HRC/26/38, para. 77).

5. At its fifty-ninth session, the Committee heard a briefing from the Director of the United Nations Research Institute for Social Development, Sarah Cook, on critical research on social development, gender and women's rights. It also held an informal meeting with the States parties to the Convention, attended by 65 States parties. The Committee provided a briefing on the implementation of the Convention and the Optional Protocol in the context of the outcome of the intergovernmental process on strengthening and enhancing the effective functioning of the human rights treaty body system (see General Assembly resolution 68/268). Several States parties welcomed the adoption by the Committee of the simplified reporting procedure. Among the other issues discussed were the integration of women's rights into the post-2015 development agenda and the Committee's work on violence against women. In addition, the Committee held an informal meeting with representatives of the Inter-Agency Group on CEDAW Reporting (the United Nations Development Programme, the United Nations Population Fund, the United Nations Children's Fund (UNICEF), the Food and Agriculture Organization of the United Nations and UN-Women), including via video link to New York and Rome.

6. The Committee continued to benefit from country-specific information received from United Nations entities and specialized agencies, other intergovernmental organizations, national human rights institutions and non-governmental organizations (the last-mentioned coordinated by International Women's Rights Action Watch Asia Pacific).

7. As at 7 November 2014, the closing date of the fifty-ninth session of the Committee, there were 188 States parties to the Convention and 105 States parties to the Optional Protocol. A total of 69 States had accepted the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee. To bring the amendment into force, two thirds of the States parties to the Convention (currently 126 States parties) must deposit their instruments of acceptance with the Secretary-General.

II. Results of the fifty-eighth and fifty-ninth sessions of the Committee

A. Reports considered by the Committee

8. At its fifty-eighth session, the Committee considered the reports of eight States parties submitted under article 18 of the Convention and issued its concluding observations thereon: the Central African Republic (CEDAW/C/CAF/CO/1-5), Georgia (CEDAW/C/GEO/CO/4-5), India (CEDAW/C/IND/CO/4-5), Lithuania (CEDAW/C/LTU/CO/5), Mauritania (CEDAW/C/MRT/CO/2-3), Peru (CEDAW/C/PER/CO/7-8), Swaziland (CEDAW/C/SWZ/CO/1-2) and the Syrian Arab Republic (CEDAW/C/SYR/CO/2). The consideration of the Central African Republic in the absence of a report had originally been scheduled for the fifty-third session, but the Central African Republic submitted its combined initial to fifth periodic reports on 26 June 2012, meaning that consideration was subsequently postponed to the fifty-eighth session to allow for the translation of the report and the

establishment of an updated list of issues and questions by the pre-sessional working group.

9. At its fifty-ninth session, the Committee considered the reports of eight States parties and issued its concluding observations thereon: Belgium (CEDAW/C/BEL/CO/7), Brunei Darussalam (CEDAW/C/BRN/CO/1-2), China (CEDAW/C/CHN/CO/7-8), Ghana (CEDAW/C/GHA/CO/6-7), Guinea (CEDAW/C/GIN/CO/7-8), Poland (CEDAW/C/POL/CO/7-8), Solomon Islands (CEDAW/C/SLB/CO/1-3) and Venezuela (Bolivarian Republic of) (CEDAW/C/VEN/CO/7-8). The consideration of Solomon Islands in the absence of a report had originally been scheduled for the fifty-fourth session, but Solomon Islands submitted its combined initial to third periodic reports on 30 January 2013, meaning that consideration was subsequently postponed to the fifty-ninth session to allow for the translation of the report and the establishment of an updated list of issues and questions by the pre-sessional working group.

10. Representatives of United Nations entities, specialized agencies, other intergovernmental organizations, national human rights institutions and non-governmental organizations attended the sessions. The reports of the States parties, the Committee's lists of issues and questions, the States parties' replies thereto and their introductory statements are posted on the website of the Committee under the relevant session, as are the concluding observations of the Committee.

B. Action taken in relation to the implementation of article 21 of the Convention

Joint general recommendation/comment on harmful practices

11. On 3 November 2014, the Committee adopted, by consensus, joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices. The Committee on the Rights of the Child had already adopted the joint text at its sixty-seventh session, in September 2014. The joint general recommendation/comment is the first-ever document of this type jointly adopted by two distinct human rights treaty bodies. The Committees recall therein the obligation of States parties to Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child to prevent and eliminate harmful practices inflicted on women and girls, such as female genital mutilation, crimes committed in the name of so-called honour, forced and child marriage, polygamy, virginity testing, widowhood practices and infanticide, in addition to body modifications such as fattening, neck elongation and breast ironing, and to pay attention to practices such as women and girls undergoing plastic surgery to conform to social norms of beauty. It is also stated that harmful practices are deeply rooted in social attitudes according to which women and girls are regarded as inferior to men and boys and are often used as a way of controlling women's choices and expressions, in particular their sexuality.

Working group on gender equality in the context of asylum and statelessness

12. On 5 November 2014, the Committee adopted, by consensus, general recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women. It is stressed therein that violence against women

is one of the major forms of persecution experienced by women in the context of refugee status and asylum and that States parties have an obligation to protect women from being exposed to a real, personal and foreseeable risk of serious forms of discrimination, including gender-based violence, irrespective of whether such consequences would take place outside the territorial boundaries of the sending State party. It is stated that gender-based violence and persecution are recognized as legitimate grounds for international protection in law and in practice and may include the threat of female genital mutilation, forced/early marriage, threat of violence and/or crimes committed in the name of so-called honour, trafficking in women, acid attacks, rape and other forms of sexual assault, serious forms of domestic violence, the imposition of the death penalty or other physical punishments existing in discriminatory justice systems, forced sterilization or political or religious persecution for holding feminist or other views. It is also noted that women are more likely than men to seek to change their nationality to that of their foreign spouse upon marriage, which puts them at a greater risk of statelessness if there are gaps in nationality legislation. In addition, seemingly neutral nationality requirements can also discriminate against women because women have more difficulty in meeting such requirements, for example economic self-sufficiency or property ownership.

General recommendation on access to justice

13. The working group met during the fifty-eighth and fifty-ninth sessions. On 7 November 2014, the Committee completed its first reading of the draft general recommendation on access to justice.

Working group on rural women

14. The working group met during the fifty-eighth and fifty-ninth sessions.

Working group on the right to education

15. The working group met during the fifty-eighth session. On 7 July 2014, during its fifty-eighth session, the Committee held a half-day of general discussion on right to education of girls and women, with support from UNICEF and the United Nations Educational, Scientific and Cultural Organization (UNESCO), as part of the first phase in the elaboration of a general recommendation on the right to education of girls and women, as enshrined in article 10 of the Convention. After the discussion had been opened by the Vice-Chair of the Committee, Violeta Neubauer, opening addresses were delivered by the then United Nations High Commissioner for Human Rights, Navi Pillay, the Director of the UNESCO Liaison Office in Geneva, Abdulaziz Almuzaini, and the UNICEF Regional Director for Central and Eastern Europe and the Commonwealth of Independent States, Marie-Pierre Poirier. The envisaged general recommendation was introduced by the Chair of the working group, Barbara Bailey. The following seven expert speakers explored the various dimensions of the right to education of girls and women: the UNICEF Goodwill Ambassador for Ethiopia, Hannah Godefa; the Chief of the Section for Basic Education of UNESCO, Maki Katsuno-Hayashikawa; a former teacher, Mariam Khalique, of the Nobel Peace Prize laureate, Malala Yousafzai; the Executive Director of the Protection Project, Johns Hopkins School of Advanced International Studies; Mohamed Y. Mattar; an adviser to the Right to Education Project, Angela Melchiorre; the Global Adviser on Education to Plan International, Vernor Muñoz; and the Special Rapporteur on the right to education, Kishore Singh. Statements were then made by the representatives of Australia, Brazil, Colombia, France,

Malta, Qatar, Slovenia and Thailand and of the Joint United Nations Programme on HIV/AIDS and 15 civil society organizations. In total, 30 States parties (Argentina, Australia, Austria, Bahrain, Brazil, Colombia, Egypt, Finland, France, Greece, Haiti, Jamaica, Kuwait, Malta, Mozambique, Nicaragua, Norway, Panama, Qatar, Romania, Russian Federation, Sierra Leone, Slovenia, Switzerland, Syrian Arab Republic, Thailand, Tunisia, Turkey, United Arab Emirates and United Kingdom of Great Britain and Northern Ireland) were represented at the general discussion, as was a non-party (the Holy See).

Working group on climate change and natural disasters

16. The working group met during the fifty-eighth and fifty-ninth sessions. At the latter, the Committee endorsed the proposal of the working group to organize a side event at the Third World Conference on Disaster Risk Reduction, to be held in Sendai, Japan, in March 2015.

Working group on working methods

17. The working group met during the fifty-eighth and fifty-ninth sessions. At the latter, it considered and submitted draft decisions to the Committee on the practical modalities for the application of the simplified reporting procedure, the working languages of the Committee, the establishment of a working group on inquiries under the Optional Protocol and the application of the guidelines on the independence and impartiality of members of the human rights treaty bodies, all of which were adopted by the Committee.

Joint working group of the Committee on the Elimination of Discrimination against Women and the Human Rights Committee

18. The working group met during the fifty-eighth session. On 16 July 2014, the Committee and the Human Rights Committee held a joint informal consultation, hosted by the Geneva Academy of International Humanitarian Law and Human Rights, to exchange their respective jurisprudence on abortion and on the minimum age of marriage.

Focal points for sexual and reproductive rights

19. The focal point and alternate focal points met during the fifty-eighth session.

Working group on the Inter-Parliamentary Union

20. The working group met during the fifty-eighth and fifty-ninth sessions.

C. Action taken in relation to ways and means of expediting the work of the Committee

Enhancing the Committee's working methods under article 18 of the Convention

Working methods

21. At its fifty-eighth session, the Committee decided to offer, on a pilot basis, the simplified reporting procedure to those States parties that wished to avail themselves of the procedure for the submission of their periodic reports (but not of

their initial reports) as from 1 January 2015, provided that they had submitted an updated common core document dating back no more than five years. It also decided to consider the practical modalities of the implementation of the simplified reporting procedure at its fifty-ninth session. At its fifty-ninth session, the Committee decided to entrust its pre-sessional working group with the preparation of draft lists of issues and questions before reporting under the simplified reporting procedure, to be approved, in the pilot phase, by the Committee at its next regular session, and to limit the number of questions in those lists to a maximum of 25 questions. It also decided that, in the pilot phase, the simplified reporting procedure would be offered only to those States parties whose periodic reports were overdue. The Committee further decided that English, French and Spanish would be its official working languages and that a fourth official language would be added on an exceptional basis, in accordance with paragraph 30 of General Assembly resolution 68/268, which would be subject to review every two years following the election of members of the Committee, based on the composition of the Committee. The Committee decided that, for the period from 1 January 2015 to 31 December 2016, Arabic would be its fourth official language.

22. The Committee also took decisions relating to its work on submissions received under article 8 of the Optional Protocol alleging grave or systematic violations of rights set forth in the Convention (inquiry procedure), including regarding the publication of the report of an inquiry and to establish, within existing resources, a working group on inquiries under the Optional Protocol.

Follow-up procedure

23. The Committee continued its work under the follow-up procedure at its fifty-eighth and fifty-ninth sessions, adopting the reports of the Rapporteur on follow-up to concluding observations and considering the follow-up reports of Belarus, Brazil, Costa Rica, Kenya, the Lao People's Democratic Republic, Liechtenstein, Mauritius, Montenegro, Norway, Paraguay, the Republic of Korea and Singapore. It also considered additional follow-up information received from the Netherlands and Turkey. The reports and additional information are posted on the web page of the Committee. At its fifty-ninth session, the Committee decided to appoint Xiaoqiao Zou as Rapporteur on follow-up and Hilary Gbedemah as an alternate, both for two years (1 January 2015 to 31 December 2016).

Overdue reports

24. The Committee decided that the secretariat should systematically remind States parties whose reports were five years or more overdue to submit their reports as soon as possible. There are currently 16 States parties whose reports are overdue by five years or more: Antigua and Barbuda, Barbados, the Democratic People's Republic of Korea, Dominica, Ireland, Kiribati, Latvia, Malaysia, the Marshall Islands, Micronesia (Federated States of), Monaco, Saint Kitts and Nevis, Saint Lucia, San Marino, Sao Tome and Principe and Trinidad and Tobago. With regard to long-overdue reports, the Committee decided that, as a last resort, and failing receipt of the long-overdue reports by a specified date, it would proceed with the consideration of the implementation of the Convention in the State party in the absence of a report. In 2015 and 2016, the Committee is scheduled to review the following States parties in the absence of a report: Antigua and Barbuda, Barbados, Saint Kitts and Nevis and, possibly, Trinidad and Tobago. States parties have been

responsive to the reminders transmitted by the secretariat, as evidenced by the number of reports submitted and scheduled for consideration. The Committee currently has 40 reports scheduled for consideration between the sixtieth session (February-March 2015) and the sixty-fourth session (June-July 2016).

Dates of future sessions of the Committee

25. The Committee confirmed the tentative dates of its sixtieth, sixty-first and sixty-second sessions as follows:

Sixtieth session

(a) Thirty-first session of the Working Group on Communications under the Optional Protocol: 12 and 13 February 2015, Geneva;

(b) Plenary: 16 February-6 March 2015, Geneva;

(c) Pre-sessional working group for the sixty-second session: 9-13 March 2015, Geneva;

Sixty-first session

(a) Thirty-second session of the Working Group on Communications under the Optional Protocol: 30 June-3 July 2015, Geneva;

(b) First session of the Working Group on Inquiries under the Optional Protocol: 1-3 July 2015, Geneva;

(c) Plenary: 6-24 July 2015, Geneva;

(d) Pre-sessional working group for the sixty-third session: 27-31 July 2015, Geneva;

Sixty-second session

(a) Thirty-third session of the Working Group on Communications under the Optional Protocol: 20-23 October 2015, Geneva;

(b) Second session of the Working Group on Inquiries under the Optional Protocol: 21-23 October 2015, Geneva;

(c) Plenary: 26 October-20 November 2015, Geneva;

(d) Pre-sessional working group for the sixty-fourth session: 23-27 November 2015, Geneva.

Reports to be considered at future sessions of the Committee

26. The Committee confirmed that it would consider the reports of Azerbaijan, Denmark, Ecuador, Eritrea, Gabon, Kyrgyzstan, Maldives and Tuvalu at its sixtieth session, the reports of Bolivia (Plurinational State of), Croatia, the Gambia, Namibia, Saint Vincent and the Grenadines, Senegal, Spain and Viet Nam at its sixty-first session and the reports of Lebanon, Liberia, Madagascar, Malawi, Portugal, the Russian Federation, Slovakia, Slovenia, Timor-Leste, the United Arab Emirates, Uzbekistan and Yemen at its sixty-second session.

D. Action taken by the Committee in respect of issues arising from article 2 and article 8 of the Optional Protocol

27. At its fifty-eighth session, the Committee endorsed the report of the Working Group on Communications under the Optional Protocol on its twenty-ninth session. The Committee adopted views finding violations with regard to communication No. 47/2012 (*González Carreño* v. *Spain*), by consensus. It also found that communication No. 30/2011 (*M.S.* v. *the Philippines*) was inadmissible, with two members abstaining and one reserving her right to submit a dissenting individual opinion.

28. Also during the fifty-eighth session, the Chair of the Working Group on Communications under the Optional Protocol, Yoko Hayashi, and another Committee member, Niklas Bruun, held a meeting to discuss follow-up matters on individual communications with representatives of the Permanent Mission of Turkey to the United Nations Office and other international organizations in Geneva, on 11 July 2014. The representatives of the Permanent Mission provided the Committee members with updated information on the measures taken to give effect to the Committee's recommendations in its views on communication No. 28/2010 (*R.K.B.* v. *Turkey*). The representatives of the State party were reminded of the need to address the Committee's recommendation regarding the issue of monetary compensation in the case.

29. With regard to inquiries under article 8 of the Optional Protocol, the Committee, among other things, adopted the report on inquiry No. 2011/1 and decided to transmit it to the State party concerned. One of the two designated members for inquiry No. 2010/1, Pramila Patten, met the Permanent Representative of the State party concerned to discuss the submission by the State party of its observations on the Committee's report.

30. At its fifty-ninth session, the Committee endorsed the report of the Working Group on Communications under the Optional Protocol on its thirtieth session. The Committee found communications No. 37/2012 (*N.* v. *Denmark*), No. 49/2013 (*S.M.G.O.* v. *Canada*) and 59/2013 (*O.C.* v. *Denmark*) to be inadmissible, by consensus. In addition, it declared one communication (No. 46/2012) admissible, with one member dissenting and reserving her right to submit an individual opinion.

31. Also during its fifty-ninth session, the Committee decided to suspend the follow-up dialogue with regard to two communications, one concerning the Philippines (No. 18/2008) and another concerning Belarus (No. 23/2009), having found non-satisfactory implementation of the recommendations set out in its views. It decided that all further follow-up discussions regarding the two cases would be conducted in the framework of the Committee's reporting procedure.

32. With regard to inquiries under article 8 of the Optional Protocol, the Committee held an informal retreat on 26 October 2014 to discuss its working methods relating to the inquiry procedure, including the issue of confidentiality and the allocation of adequate meeting time and resources. The Committee decided to establish, on a pilot basis, a working group on inquiries under the Optional Protocol, consisting of five members of the Committee and reflecting equitable geographical representation, that would meet for six days per year, within existing resources. The Committee also decided to make public and publish, on the website of the Office of the High Commissioner for Human Rights, the full report of an inquiry setting out

its findings, comments and recommendations upon the completion of all proceedings relating to the conduct of the inquiry and the expiry of the time limit pursuant to article 8 (4) of the Optional Protocol. In relation to inquiry No. 2010/1, the Committee decided to defer its decision on the publication of the report of the inquiry to its sixtieth session. In relation to submission No. 2013/1, the Committee decided to conduct an inquiry and to transmit that decision to the State party concerned.